

Application No. 10/614,715  
Amendment dated August 17, 2005  
Reply to Office Action of May 17, 2005

#### **REMARKS**

This amendment responds to the Officer Action mailed May 17, 2005.

Claims 4-15, 19-22 and 24-28 remain pending in the application. Claims 4-11, 13 14, 19-22, 24, 25, 27 and 28 stand rejected. Claims 12, 15 and 26 were allowed and claims 16-18, 23, 29 and 30 were withdrawn from consideration. Claims 4 and 21 have been amended and claim 5 has been cancelled herein. Applicants assert that the pending claims are now in complete condition for allowance and respectfully request reconsideration in view of the following remarks.

#### **Claims Rejected Under 35 U.S.C. § 102**

Claims 4-11, 13, 14, 19, 21, 22, 24, 25, 27 and 28 stand rejected under 35 U.S.C. §102(b) as being anticipated by U.S. Patent No. 5,107,654 to Leonardis. Claims 4 and 21 are the only independent claims of this rejected group. While Applicants believe that claims 4 and 21 are allowable over Leonardis '654 for the reasons set forth in the amendment filed January 31, 2005, these claims have been amended herein in an effort to advance prosecution of this application. Specifically, claims 4 and 21 have been amended to recite that "the detents are offset from central portions of the walls, to thereby cooperate with the passageways to retain the strands." These amendments to claims 4 and 21 incorporate subject matter found in originally filed claim 5, and thereby do not add new subject matter. Applicants further assert that amended claims 4 and 21 are not taught or suggested by the references of record and are therefore in condition

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for allowance. Specifically, the upper parts 11, 12 of the slots of the device of Leonardis '654 extend in circumferential directions along the walls thereof, and do not extend inwardly from the walls as required by claims 4 and 21. Moreover, Applicants assert that there is no teaching or suggestion in the references of record to modify the device of Leonardis '654 in a manner that results in the claimed invention. For at least these reasons, Applicants respectfully request that the rejections of claims 4 and 21 over Leonardis '654 be withdrawn.

Claims 6-11, 13, 14 and 19 each depend from independent claim 4, and claims 22, 24, 25, 27 and 28 each depend from independent claim 21. Accordingly, these claims are in condition for allowance for at least the reasons stated above for independent claims 4 and 21, and Applicants respectfully request that the rejections of claims 6-11, 13, 14, 19, 22, 24, 25, 27 and 28 over Leonardis '654 be withdrawn.

**Claims Rejected Under 35 U.S.C. §103**

Claim 20 stands rejected under 35 U.S.C. §103(a) as being unpatentable over Leonardis '654 in view of U.S. Patent No. 3,693,310 to Middleton. Claim 20 depends from independent claim 4, and therefore includes each and every feature recited in claim 4. Applicants respectfully traverse the rejection of claim 20 over Leonardis '654 in view of Middleton, because Leonardis '654 does not teach or suggest each and every element of claim 20, and Middleton '310 fails to cure this deficiency. Specifically, Leonardis '654 does not teach or suggest "detents projecting inwardly from

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the walls," as discussed above with respect to claim 4. Middleton '310 does not teach or suggest a modification of Leonardis '654 that cures this deficiency. In particular, Middleton '310 depicts inwardly projecting portions 31, 32, 33 and 34 provided on upper portions of vertical arms 23, 24, 25 and 26. If the side stays 5 of Leonardis '654 were extended vertically upwardly to provide inwardly extending detents, as depicted in Middletown '310, the stays 5 would extend over the slots 7, 8, 9 and 10 of Leonardis '654 and thereby create obstructions that prevent steel rods from being placed within the slots, as intended by Leonardis '654. Such a modification would render the device of Leonardis '654 unfit for its intended purpose of supporting reinforcement rods. For at least these reasons, Applicants respectfully request that the rejection of claim 20 over Leonardis '654 in view of Middleton '310 be withdrawn.

In view of the foregoing amendments to the claims and remarks given herein, Applicants respectfully believe this case is in condition for allowance and respectfully request allowance of the pending claims. If the Examiner believes any issue in this application requires further discussion, the Examiner is respectfully asked to telephone the undersigned attorney so that the matter may be promptly resolved. The Examiner's prompt attention to this matter is appreciated.

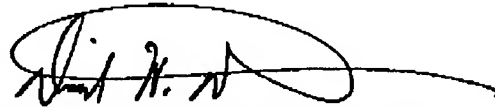
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Applicants are of the opinion that no additional fee is due as a result of this amendment. If any charges or credits are necessary to complete this communication, please apply them to Deposit Account No. 23-3000.

Respectfully submitted,

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